



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*United States Courthouse
300 Quarropas Street
White Plains, New York 10601*

August 29, 2019

BY ECF

The Honorable Kenneth M. Karas
United States District Judge
Southern District of New York
300 Quarropas Street
White Plains, NY 10601

Re: *United States v. Nicholas Tartaglione, S4 16 Cr. 832 (KMK)*

Dear Judge Karas:

The Government respectfully submits this letter to request sealing of the August 28, 2019 letter filed by defense counsel in the above-referenced case (the “Defense Letter”) in response to the Government’s August 23, 2019 letter regarding the defendant’s housing within the Bureau of Prisons (“BOP”). For the same reasons set forth in its application to seal the Letter, the Government respectfully requests that the Court seal the Defense Letter. In particular, the Government maintains that the Defense Letter is not a judicial document. If the Court determines that the Defense Letter is a judicial document, however, the Government respectfully requests that the second and fourth sentences of the second paragraph on the first page of the Defense Letter be redacted in any public filing. Those two sentences restate the internal deliberations of the BOP, and their public filing would jeopardize the BOP’s law enforcement functions and internal deliberative processes. The Government therefore seeks redaction of those sentences for the same reasons it seeks redaction of certain portions of the Letter.

Respectfully submitted,

GEOFFREY S. BERMAN
United States Attorney

By: _____ /s/
Maurene Comey & Jason Swergold
Assistant United States Attorneys

Cc: Counsel of record (by ECF)
Adam Johnson, Esq. (by email)
Stephanie Scannell, Esq. (by email)
Nicole McFarland, Esq. (by email)
Holly Pratesi, Esq. (by email)
Supervisory Deputy U.S. Marshal Stuart Smith (by email)